



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nowak et al.

Examiner: M. Jackson

Serial No.: 09/178,329

Group Art Unit: 1773

Filed: August 23, 1998

For: COMPOSITE WRAP MATERIAL

Assistant Commissioner of Patents
Washington, D.C. 20231

Response to Office Action

Sir:

This is in response to the Office Action mailed February 13, 2002.

The Examiner has rejected claims 1, 5, 6 and 8-10 under 35 USC 102 as being anticipated by Kitamura, 5,239,835. The Examiner states that Kitamura teaches a synthetic resin laminated paper for wrapping or packaging consisting of: synthetic resin film layers such as polyethylene and paper laminated together via extrusion or hot melt coating layer comprise: mixture of adhesion release control agent such as wax and a synthetic resin such as polyethylene.

Kitamura teaches examples using paper such as Kraft paper with a basis weight within the claimed range laminated to polyethylene or polypropylene which is solid during lamination to said paper.

Applicant encloses the second declaration of Thomas Bezigian. Mr. Bezigian has reviewed the prior art patents. (Bezigian Declaration paragraph 1). Kitamura teaches a

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synthetic resin laminated paper comprising a synthetic resin film layer and a paper layer, wherein an adhesion-release control agent layer is interposed between the film and paper.

Kitamura relates to carton paper containers for milk or juice and paper cups.

Synthetic resin laminated paper can be easily separated into laminated film and paper by mechanical treatment within a short period of time and with minimum energy.

Pulverization of laminated film is prevented and efficiency of separation is enhanced.

(Bezigan paragraph 9).

The adhesion release control agent includes wax, polyvinyl alcohol ethylene-vinyl acetate copolymers, polyacrylic polymers or copolymers, and a modified silicone compound consisting of an organopolysiloxane compound. The adhesion-release control agent would not just include wax, but would include the additives listed below to create the adhesion release effect. (Bezigan paragraph 10).

The present patent application does not use an adhesion release control agent.

Kitamura relates to carton paper containers for milk or juice, and paper cups. Further, Kitamura does not teach a paper layer limited to a basis weight of 20-60 lbs./3,000 sq. ft., nor would it be obvious based on the difference in the goods being packaged. (Bezigan paragraph 11).

Enclosed is a data sheet from DuPont regarding Elvanol which is a polyvinyl alcohol described in the Kitamura patent. On page 5, it is described that there are specialized applications where Elvanol is used alone or in combination with specialty chemicals to provide release to adhesives, coatings, and plastisols. (Bezigan paragraph 12).

A second attachment relates to pressure sensitive silicones. Silicones are designed to perform as both adhesives and as release agents. Silicone release agents, known as release coatings, provide release from pressure sensitive adhesives and other tacking materials. As release coatings, silicones are used to provide a release surface against aggressive adhesives and other sticky surfaces. (Bezigan paragraph 13).

The Examiner has rejected claims 1, 5-6 and 8-12 under 35 USC 103 as being obvious over Kitamura. The Examiner states that Kitamura teaches examples utilizing paper within claim limitations, however, Kitamura does not teach a paper layer limited to a basis weight of 20-60 lbs/3,000 sq. ft. or that one of the composite layers is metallized, however, metallization is well known to provide improved barrier properties. Kitamura does not teach the addition of pigments.

The Examiner states that it is conventional to wrap reams of paper with polyethylene coated paper packaging materials, and obvious to utilize polyethylene coated paper wrapping or packaging material taught by Kitamura.

As stated above the present patent application does not use an adhesion release control agent. Kitamura relates to carton paper containers for milk or juice, and paper cups. Further, Kitamura does not teach a paper layer limited to a basis weight of 20-60 lbs./3,000 sq. ft., nor would it be obvious based on the difference in the goods being packaged. (Bezigan paragraph 11).

The method of Kitamura includes any of the following:

1. Lamination by extruding or hot melt coating a mixture of adhesion release control agent and a synthetic resin between film and paper.
2. Coating said agent onto the surface of the film

3. Coating said agent onto the surface of the paper.
4. Making the paper by mixing said agent into the paper.

For method 1, examples of the synthetic resins are olefin resins, such as polyethylene and polypropylene. For the invention it is necessary to have the adhesion release control agent.

The Examiner has rejected claims 1, 5-6, 8 and 10-12 under 35 USC 103 as being obvious over Lasson, 6,036,803. The Examiner states that Lasson teaches a packaging material consisting of a core layer of paper or paperboard laminated to a polyethylene-aluminum foil laminate 7 (metallized polyethylene film) via an intermediary layer of extruded polyethylene 15 (hot melt adhesive).

The Examiner states that Lasson does not teach the type and basis weight of the paper core layer 9. The Examiner states that it would be obvious to use any paper substrate suitable for packaging material or to determine the optimum basis weight and type of paper. Basis weight effects flexibility. Lasson does not teach the addition of pigments, however, the use of pigments is well known.

Lasson relates to a method for producing packaging material comprising a core layer provided with punched holes, apertures or slits, and which displays along its one side an unbroken layer of laminate consisting of aluminum foil and polyethylene. To produce a primary laminate of polyethylene and aluminum foil, polyethylene is extruded as a film between aluminum foil and a surface of the cooler roller, while on the same cooling roller, paper or board with holes, apertures or slits is united with primary laminate by an intermediary of extruded polyethylene layer.

It would not be obvious to use any paper substrate for packaging material or to determine the optimum basis weight and type of paper. The invention of Lasson is used for packaging milk and fruit juice. The same basis weight and type of paper would not be used in the present invention and the invention of Lasson. (Bezgian paragraph 2).

Aluminum foil is fed in between a cooled roller and a first nip roller; one or more thermoplastic materials in molten or semi-molten state are extruded in the form of a continuous first film between cooled roller and the first nip roller so that the extruded first film is accommodated between aluminum foil and the cooled roller, the thermoplastic material is caused to adhere to aluminum foil for formation of plastic aluminum foil laminate. The plastic-aluminum foil laminate is under abutment against the cooled roller, led in under a second nip roller over which the webs of paper or board prepared with holes are urged against the laminate, and passed over the cooled roller. One or more of the thermoplastic materials in molten or semi-molten state are extruded in the form of a continuous second film in between cooled roller and second nip roller so that the extruded second film is accommodated between the aluminum foil side of the plastic-aluminum laminate and paper or board. The molten thermoplastic material in the second thermoplastic film is caused to adhere to the aluminum foil and paper or board.

The Examiner has rejected claims 1, 5-6, 8 and 10-12 as being obvious over Scott, 2,154,474. The Examiner states that Scott teaches film welding, a process for uniting pre-formed plastic film to a base material of paper, fabric or metal to produce a composite material coated on one or both sides with water-proof film wherein the film provides a transparent or decorative coating on one or both sides of the paper which

enhances decoration or printing on the paper and gives the paper qualities of repelling water, odors, This is suitable for use as a wrapper for goods.

The process relates to feeding a sheet of film and coterminous sheet of paper, fabric or metal, with edges in registration or continuous webs of film and paper through a pair of rollers to unite the two by pressure and heat from the rollers. Adhesion between the paper and film is facilitated by a thin skin or coating on film of suitable natural or artificial resin which becomes an adhesive when heated or by a thermo-adhesive such as polymerized vinyl acetate applied to the continuous paper web.

The Examiner states that Scott does not teach a basis weight as claimed, however, it would be obvious. The Examiner states that Scott does not teach the addition of pigments, however, it would be obvious. With regards to claim 12, the Examiner states that it would be obvious to teach a metallized surface, however, it would be obvious.

Scott teaches a film which includes a coating which while normally stable and non-tacky, may be rendered an adhesive by appropriate manipulation. Col. 1 lines 6-10. Scott relates to a process and apparatus where film of a coated material is either continuously or in separate sheets applied in a continuous manner to sheet or web material, such as paper or fabric. Films are applied mechanically to opposite sides of the paper. Heat and pressure is applied to weld the film to the paper. Welding means the establishment of a tenacious condition of one coated surface of film, coating rendered adherent to the other material by pressure. The film coating is rendered adherent by heat and cohesive by pressure accompanied by heat. The film is attached so closely to the web it is called a weld.

The paper in Scott must be treated or moistened prior to welding to compensate from welding conditions, so the welded product has desired flexibility and flatness. (Bezigan paragraph 4).

The product can be used for water-proof, moisture proof and odor repellant wrappers for goods and materials; ornamentation and water-proofing of printed or decorated papers, including posters and reinforced or embellished sheets. The process can produce a developing or printing paper sensitized for use in production of x-ray and other photographs.

The present invention does not require that the paper be moistened which is required by Scott. Further, the present invention requires a liquid adhesive, whereas Scott includes a coating, i.e., solid adhesive, which is stable and non-tacky when applied, but does not become an adhesive until it is heated. Further, there is nothing in Scott which teaches or makes obvious the basis weight taught in the present invention. (Bezigan paragraph 5).

The surface of the film facing the paper has a thin skin or coating of suitable natural or artificial resin which becomes an adhesive when heated. By using a solid rather than a fluid or viscous adhesive, it is possible to avoid all side slip of sheets when passing through the rollers. Col. 3 lines 3-9. The cellulose film has one or both sides coated with normally solid adhesive.

The Examiner has rejected claims 1, 5-6, 8 and 10-11 as being obvious over Brinley, 5,098,497. The Examiner states that Brinley teaches an embossed coated paper prepared by a polymer film, preferably a polyethylene film, laminated to a paper web, utilizing an extrusion coated resin interlayer, preferably polyethylene extrusion (hot melt

adhesive), thereinbetween. The paper web can be any paper for preparing coated papers, i.e., kraft paper or natural or synthetic pulp paper, additionally having pigments, and ranging in thickness from 5mls to 30 mls. The Examiner states that Brinley does not teach the basis weight, however, this is obvious.

Brinley relates to an embossed coated paper. Polymer film is laminated to a paper web, utilizing an extrusion coated resin interlayer, therebetween, and a pattern from an engraved chill roll is simultaneously embossed onto the exposed surface of the polymer film. Embossed coated papers are used for simulated leather panels for cars, matte surface photographic base papers, etc. The embossed coated paper may be adhered to the core support member to produce simulated leather panels for car interiors. The thickness of the paper can range from 5mls to 300 mls, preferably 5 mls to 100 mls. The basis weight of the present invention and the basis weight taught in Brinley would be different. Because of the use of the product described in Brinley is different then the ream wrap of the present invention, it would not be obvious to change the basis weight of Brinley to the basis weight described in the present invention. (Bezigan paragraph 7).

The claims of the present patent application relate to a composite wrap material for wrapping reams of paper, the wrap material consisting essentially of: a first layer of paper having a basis weight of about 20-60 lbs/3,000 sq. ft., a second layer of a solid polymer film material, the polymer film being solid during lamination to the paper. An adhesive layer is between the first and second layers. The other claims in the patent application are dependent on this claim.

The present patent application does not use a adhesion release control agent. Kitamura relates to carton paper containers for milk or juice, and paper cups. Further,

Kitamura does not teach a paper layer limited to a basis weight of 20-60 lbs/3,000 sq. ft., nor would it be obvious based on the difference in the goods being packaged.

Lasson relates to a method for producing packaging material comprising a core layer provided with punched holes, apertures or slits, and which displays along its one side an unbroken layer of laminate consisting of aluminum foil and polyethylene. The product of this invention is used for packaging milk and fruit juice. The Examiner states that Lasson does not teach the type and basis weight of the paper core layer. The present application does not use paper having holes. Further it would not be obvious to use the basis weight of the present invention. Lasson relates to packaging milk and fruit juice.

Scott teaches that adhesion between the paper and film is facilitated by a thin skin or coating on film of suitable natural or artificial resin which becomes an adhesive when heated or by a thermo-adhesive such as polymerized vinyl acetate applied to the continuous paper web. Scott does not teach a basis weight as claimed. The film includes the coating which while normally stable and non-tacky, may be rendered an adhesive by appropriate manipulation. The surface of the film facing the paper has a thin skin or coating of suitable natural or artificial resin which becomes an adhesive when heated. By using a solid rather than a fluid or viscous adhesive, it is possible to avoid all side slip of sheets when passing through the rollers. Scott does not teach the basis weight of the present invention nor is it obvious, and the adhesive materials are different.

Brinley teaches an embossed coated paper. Embossed coated papers are used for simulated leather panels for cars, matte surface photographic base papers, etc.

Brinley does not teach the basis weight of the present invention nor is it obvious.

Applicant believes the application is now in condition for allowance.

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Respectfully submitted,



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